

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT C. WILSON; TIMOTHY
J. WATTS; CHRISTOPHER T.
CALLAGHAN and PAMELA
BURT, Individually,

Plaintiffs,

-vs-

Case No. 03-72154
Hon: AVERN COHN

TYCO INTERNATIONAL LTD., a foreign
corporation; TYCO INTERNATIONAL (U.S.),
INC., a domestic corporation; TYCO ACQUISITION
CORP., VII, a Nevada corporation; and EARTH
TECH EMS HOLDINGS, INC., a Nevada
corporation d/b/a EARTH TECH, Jointly
and Severally,

Defendants.

AMENDMENT TO TRIAL ORDER

This is essentially a breach of contract case. The Court held a status conference on December 12, 2006 to discuss the upcoming trial and the inordinate length of the Joint Final Pretrial Order. There was also discussion of amendments to the Trial Order filed September 29, 2006. The Trial Order is amended as follows:

1. The jury will be empaneled on Thursday, January 4, 2007.
2. Motions *in Limine* and other trial matters will be discussed on Friday, January 5, 2007.
3. The trial shall begin with opening statements on Monday, January 8, 2007.
4. Exhibit books, with not more than fifty (50) for each party, shall be given to

the Court and each juror.

5. Witness lists, with not more than fifteen (15) witnesses for each party, together with a one sentence description of the witness' proposed testimony, and separately stating who will be called and who may be called, shall be lodged with the Court by Thursday, January 4, 2007.

6. The parties shall spend not less than four (4) hours in discussing the jury instructions and verdict form so that on Thursday, January 4, 2007, they are in a position to lodge copies of each with the Court.

7. There are three (3) motions *in limine* filed by defendants to be decided by the Court. Plaintiffs shall file a response to each motion within ten (10) days.

Any objection to this Amendment shall be lodged with the Court within forty-eight (48) hours.

SO ORDERED.

Dated: December 13, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, December 13, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160